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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10 075,142	02-14-2002	John Greene	7385-82248	6885

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EXAMINER

DOAN, JENNIFER

ART UNIT

PAPER NUMBER

2874

DATE MAILED: 12-04-2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/075,142

Applicant(s)

GREENE ET AL.

Examiner

Jennifer Doan

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 14 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings*

1. The drawings, filed on 02/14/2002, are accepted.

### *Specification*

2. Claim 3 is objected because of a typo error:

On line 3 of claim 3, "the a plurality of guide pins" have been changed to "the plurality of guide pins".

Applicants' cooperation is requested in correcting any other errors of which applicants may become aware in the specification.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

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(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

4. Claims 1-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuczynski (U.S. Patent 6,356,686).

Regarding claims 1, 11, 20 and 26, Kuczynski discloses, Fig. 3, a method of aligning an optical array with a substrate (column 5, lines 59-67 and column 6, lines 1-18) comprising the steps of aligning the substrate (210) with a set of alignment structure on an alignment fixture (300); transmitting a plurality of optical signals from the fixture through the substrate as shown in Fig. 3 and aligning the optical array (190) to the substrate (210) using the transmitted plurality of optical signals.

Regarding claims 2, 3, 12, 13, 21 and 27, Kuczynski further discloses, Fig. 3, the step of defining the set of aligning structures as a plurality alignment guide pin (310) protruding from a top surface of the alignment fixture (300) and inserting the guide pins (310) of the alignment fixture (300) through a respective apertures (240) in the substrate (210).

Regarding claims 4, 14, 23 and 29, Kuczynski discloses the step of transmitting a plurality of optical signals through the substrate further comprises transmitting the plurality of optical signals directly through an optically transparent substrate as shown in Fig. 3.

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Regarding claims 5, 6 and 17, Kuczynski further discloses first and second detectors (column 2, lines 29-33).

Regarding claims 6- 8, 15, 16, 20, 22, 24, 26, 28 and 30, Kuczynski further discloses reference marks and registration marks (column 5, lines 59-67 and column 6, lines 1-4).

Regarding claims 9, 18 and 31, Kuczynski discloses the method of aligning an optical array with the substrate further comprising attaching the optical array to the substrate with an adhesive (column 6, lines 4-5).

Regarding claims 10, 19, 25 and 32 Kuczynski further discloses a set of conductive traces on the substrate (column 3, lines 29-32).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wentworth et al. (U.S. Patent 5,590,232) disclose an apparatus for connecting photonic device to optical fibers and Swirhun et al. (U.S. Patent 5,631,988) disclose an optical interconnect couples multiple optical fibers.

6. The prior art documents submitted by applicant in the Information Disclosure Statement filed on 09/25/2002, including the Kuczynski patent relied on in the rejection above, have all been considered and made of record (note the attached copy of form PTO-1449).

7. Any inquiry concerning the merits of this communication should be directed to Examiner Jennifer Doan whose telephone number is (703) 308-6179. The

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examiner can normally be reached on Monday to Thursday from 6:30am to 4:00pm, first Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick, can be reached on (703) 308-4819. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7724.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

JD

JD

November 26, 2002



**PHAN T. H. PALMER**  
**PRIMARY EXAMINER**